

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Aaron Carlson Corporation,

Court File No.19-cv-2828 (SRN/LIB)

Plaintiff,

v.

Neal Cohen, Darren Chaffee,  
CoBe Equities, LLC, CoBe Capital, LLC,  
LSI of America Holdings, LLC, LinCourt,  
LLC, Harvey Berk, CoBe Management LLC,  
and Cocha Finance, LLC,

**DEFENDANT HARVEY BERK'S  
MOTION TO DISMISS FOR  
LACK OF PERSONAL  
JURISDICTION AND FAILURE  
TO STATE A CLAIM**

Defendants.

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Pursuant to Federal Rule of Civil Procedure 12(b)(2) and 12(b)(6), Defendant, Harvey Berk ("Berk"), moves the Court to dismiss Plaintiff's Amended Complaint as against him, and grant all other relief that the Court deems appropriate. In support of this Motion, Berk relies upon the accompanying memorandum of law and Declaration of Harvey Berk. For the reasons set forth more fully in its accompanying memorandum of law, Berk requests that his Motion be granted.

WHEREFORE, Berk respectfully requests that the Court grant his Motion.

**MESSERLI & KRAMER P.A.**

Dated: February 5, 2020

s/Terrance J. Wagener

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**ATTORNEYS FOR DEFENDANTS**

